

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AUTUMN JOY GENTRY.

CASE NO. C18-5752JLR

Plaintiff,

ORDER ADOPTING REPORT AND RECOMMENDATION

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

I. INTRODUCTION

Before the court is the Report and Recommendation of United States Magistrate Judge David W. Christel (R&R (Dkt. #17)), and Plaintiff's objections thereto (Plaintiff's Obj. (Dkt. # 18)). Having carefully reviewed the foregoing, along with all other relevant documents and the governing law, the court ADOPTS the Report and Recommendation (Dkt. # 17) and DISMISSES Plaintiff's action without prejudice.

II. STANDARD OF REVIEW

A district court has jurisdiction to review a Magistrate Judge's report and recommendation on dispositive matters. Fed. R. Civ. P. 72(b). "The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to." *Id.* "A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). The court reviews de novo those portions of the report and recommendation to which specific written objection is made. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). "The statute makes it clear that the district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise." *Id.* When no objections are filed, the court need not review de novo the report and recommendation. *Wang v. Masaitis*, 416 F.3d 992, 1000 n.13 (9th Cir. 2005).

III. DISCUSSION

Plaintiff objects to the Report and Recommendation's determination to reject Dr. Morgan's opinion. (Plaintiff's Obj. at 3: 1-6). Plaintiff's objections do not raise any novel issues that were not addressed by Magistrate Judge Christel's Report and Recommendation. (*See generally* R&R.) Moreover, the court has thoroughly examined the record before it and finds Magistrate Judge Christel's reasoning persuasive in light of that record. Plaintiff essentially reargues the arguments she made to Magistrate Judge Christel, as well as arguments that Magistrate Judge Christel thoroughly addressed in the Report and Recommendation, and the court independently rejects them for the same reasons as Magistrate Judge Christel.

IV. CONCLUSION

For the foregoing reasons, the court hereby ORDERS as follows:

(1) The court ADOPTS the Report and Recommendation (Dkt. # 17) in its entirety;

(2) The matter is AFFIRMED pursuant to sentence four of 42 U.S.C. § 405(g);

(3) JUDGMENT is for defendant and the case should be closed;

(4) The court DIRECTS the Clerk to send copies of this Order to counsel to

counsel of record.

Dated this 15 day of July, 2019.

JAMES L. ROBART
United States District Judge